THE ORDINANCE OF THE *French* KING, OF *September* 18. 1713.

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France - Louis XIV
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THE ORDINANCE OF THE *FRENCH* KING,

Of *SEPTEMBER* 18. 1713.

FORBIDDING

Thoſe of his Subjects who are call'd *New Converts* to paſs into foreign Countries, and the REFUGEES to return into *France*, without his Licenſe.

WITH

Some REMARKS upon it, in a Letter to a Friend.

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BRITISH MUSEUM

PARIS.

An ORDINANCE *of the* FRENCH KING, *of* September 18. 1713. *forbidding thoſe of his Subjects who are called* New Converts, *to paſs into Foreign Countries; and the* Refugees *to return into* France, *without his Licenſe.*

At *Fontainebleau*, September 18. 1713.

" HIS *Majeſty* having by an Edict of
" the Month of *Auguſt* 1669. forbid
" his Subjects to *retire* out of his
" Kingdom, and ſettle in Foreign
" Countries by *Marriage*, *Purchaſing Eſtates*,
" and the *Tranſporting of their Families and Ef-*
" *fects*;

" *fects*; has by his *Edicts*, *Declarations*, and *Or-*
" *dinances* of the 22d of *October* 1685, 26th of
" *April*, and 7th of *May* 1686, 12th of *Octo-*
" *ber* 1687, 11th of *February*, 13th of *September*,
" and 5th of *December* 1699, expreſly forbid his
" Subjects who are *New Converts*, them, their
" *Wives* and *Children*, to go out of his King-
" dom, Countries, and Territories under his
" Obedience, without his *leave*; and alſo for-
" bid all Perſons to favour or aſſiſt them in their
" Eſcape, expreſly prohibiting all *Captains*, *Ma-*
" *ſters*, and *Commanders* of *French* or *Foreign*
" *Ships*, to receive them on board, in order
" to conveigh them to Foreign Countries, un-
" der the *Penalties* therein expreſſed: And not-
" withſtanding thoſe *Edicts* and *Declarations*
" were afterwards conſtantly put in Execution,
" and Judgments pronounced by our Judges
" and Officers againſt the Tranſgreſſors of
" them. Nevertheleſs his *Majeſty* is informed,
" that his ſaid Subjects who are *New Converts*,
" as well thoſe who have *retired* into Foreign
" Countries, as thoſe who ſtill *remain* in the
" Kingdom, pretend by an *Abuſe*, and *wrong*
" *Interpretation* of the *Freedom of Commerce* re-
" eſtabliſhed between his Subjects, and thoſe of
" the Potentates with whom he was at War, to
" be, by Virtue of the laſt *Treaties of Peace* con-
" cluded at *Utrecht*, no longer under the *Prohi-*
" *bition* and *Penalties* expreſſed in the ſaid *E-*
" *dicts*, *Declarations*, and *Ordinances*, though
" his *Majeſty* never intended to derogate from
" or any way invalidate the ſame, and though
" the Obſervation of the Laws of each State
" is expreſly reſerved by the ſaid *Treaties*. Now
" as his Majeſty will maintain exactly that *Free-*
" *dom of Commerce* in the ſame Manner as it was

" exer-

" exerciſed before the War, in ſuch ſort that his
" Subjects, and thoſe of the ſaid Potentates
" may reciprocally paſs and repaſs in all Safety
" from one Dominion to another, either to
" travel, or to Work and Traffick wherever
" they paſs, without having need of any *Paſs-*
" *ports*; ſo he will not ſuffer thoſe of his Sub-
" jects, now in his Kingdom, who are not yet
" convinced of the Errors of the *pretended re-*
" *formed Religion*, or who are *New Converts* to
" tranſgreſs his Prohibitions by going out of the
" Kingdom; nor thoſe of the like Perſwaſion,
" who in criminal Diſobedience to his Orders
" have *retired to Foreign Countries*, and who would
" not take the Benefit of the Permiſſion granted
" them by his *Edicts* and *Declarations* of the
" Month of *October*, and the 12th of *November*
" 1685, 10th of *February*, and 29th of *Decem-*
" *ber* 1698, to *return into France* within the time
" and on the Conditions therein ſpecified, to
" come with Impunity, with Deſign to foment
" and encourage the bad Diſpoſitions of their
" Relations and Friends, and even to engage
" them to *go back with them into Foreign Countries.*
" Wherefore his Majeſty has thought fit to de-
" clare his Intention, and at the ſame time to
" take the neceſſary Precautions to ſee it execu-
" ted. His Majeſty therefore has *ordained* and *or-*
" *dains*, that his ſaid *Edicts*, *Declarations*, and *Or-*
" *dinances*, ſhall be *executed* according to their
" *Tenour*: And conformably thereto, he hereby
" gives expreſs, and reiterated *Prohibitions* to
" all his Subjects of the *Pretended Reformed Re-*
" *ligion*, or *New Converts*, their *Wives* and *Chil-*
" *dren*, to *go out* of the Kingdom, Countries
" and Territories under his Obedience, to
" *Foreign Dominions*, and to *tranſport thither their*

" *Goods*

" *Goods and Effects*, for any Cauſe, or under a-
" ny Pretence whatever, without his *Majeſty's*
" *Permiſſion* in Writing, on the *Penalties* expreſ-
" ſed in the ſaid *Edicts*, *Declarations*, and *Ordi-*
" *nances*, as well againſt themſelves, as againſt
" thoſe who ſhall favour their Eſcape, or ſhall
" contribute thereto directly or indirectly. His
" *Majeſty* likewiſe forbids all *Captains*, *Maſters*,
" and *Commanders* of *French* and *Foreign Ships*,
" of what Nation ſoever, to Tranſport and
" Land in the Ports of the Kingdom, Countries,
" and Territories under his Obedience, his
" Subjects of the *Pretended Reformed Religion*, or
" *New Converts*, who have *retired* into Foreign
" Countries, even tho' they have been NATU-
" RALIZ'D there, or their *Wives* and *Children*,
" EVEN THOSE BORN IN THE SAID FOREIGN COUN-
" TRIES; as alſo to receive on Board any of his
" Subjects who are *New Converts* in order to
" carry them to Foreign Countries, without his
" ſpecial Licenſe; all on the *Penalties* ſpe-
" cified in the ſaid *Edicts*, *Declarations*, and
" *Ordinances*. His *Majeſty* forbids all *Pilots*, *Sea-*
" *men*, and others, to carry any one of his ſaid
" Subjects who are *New Converts*, on Board
" *French* or *Foreign Ships*, laden in the Roads
" of the Kingdom for *Foreign Countries*; or to
" bring into the Ports of *France* ſuch of his ſaid
" Subjects who may come in the ſaid Ships, on
" pain of *Death*. His Majeſty does not intend
" however to hinder the ſaid *Captains*, *Maſters*,
" or *Commanders* of *French* or *Foreign Ships* from
" receiving on Board thoſe of his other Sub-
" jects who would go to *Travel in Foreign Coun-*
" *tries*, or to *Work* or *Traffick* there for a Time,
" without any Paſſports: The ſaid *Captains*,
" *Maſters*, or *Commanders* may likewiſe receive

" on

" on Board thoſe of his Majeſty's Subjects who
" are *New Converts* who would paſs by Sea from
" one Province of our Kingdom to another,
" provided they be furniſhed with his *Maje-*
" *ſty's Licenſe* in Writing, or the *Licenſe* of the
" *Commiſſary* appointed in the *Generality* where
" they dwell; which *Licenſe* ſhall declare exact-
" ly the *Place* whither they are to go, and the
" *Route* which they ſhall be obliged to take to
" get thither; and the ſaid *Licenſes* ſhall be *re-*
" *giſtred* in the *Office* of *Admiralty* of the *Port*
" where the Ship ſhall be, and be put into the
" Hands of the ſaid *Captains*, *Maſters*, and
" *Commanders*. Moreover, 'tis his *Majeſty*'s
" Will and Pleaſure, that *Proceſs* be made out,
" by his Judges and Officers, againſt thoſe of his
" Subjects *New Converts*, who ſhall tranſgreſs in
" any Manner whatever, the ſaid *Edicts* and
" *Declarations*, and the *Preſent Ordinance*; and
" that they hereby, incur the *Penalties* there-
" in mentioned: His *Majeſty* reſerving to him-
" ſelf the exerting his Clemency and Goodneſs
" towards thoſe of his ſaid Subjects *retired* to
" Foreign Countries, who becoming attentive
" and docile to Truth, and touched with Re-
" pentance of their former ill Behaviour, would
" return into the Kingdom, there to take a-
" new the *Oath* of *Allegiance*, make a freſh *Abju-*
" *ration*, and *profeſs ſincerely, and* Bona fide *the*
" *Catholick Religion. His Majeſty* commands
" and orders the *Count de Toulouſe*, *Admiral* of
" *France*, the *Vice-Admirals*, *Lieutenant-Gene-*
" *rals*, *Intendants*, *Commodores*, *Captains of*
" *Ships*, *Commiſſaries of the Marine and Claſ-*
" *ſes*, *Officers of the Admiralty*, and other Of-
" ficers whom it ſhall concern, to ſee, in
" their ſeveral Diſtricts, that the *Preſent Ordi-*

" *nance* be duly executed, which 'tis our Will
" and Pleaſure ſhall be *read*, *publiſhed*, and *fixed*
" *up* in ſuch Places as ſhall be thought needful,
" to the end none may be ignorant of it. Done
" at *Fontainbleau* the 18th of *September* 1713.
" Signed *LOUIS*, and under *Phelypeaux*.

SOME

SOME REMARKS UPON THE Foregoing ORDINANCE.

SIR,

I Herewith ſend you (as above) the ORDINANCE of the *French King*, of the 18th of *September* laſt, " *forbidding thoſe of his Subjects* " *who are* New Converts *to paſs into Fo-* " *reign Countries; and the* Refugees *to return* " *into* France *without his Licenſe*; and foraſmuch as the *Penalties* to be incurred by *tranſgreſſing* it, are not expreſſed therein, and have a Relation to *former Declarations*, I think it proper to inform you what they are: By giving you the Subſtance of the *Declaration* of the 7th of *May* 1686. which in a manner contains the Import of all the reſt, which is as follows.

" *For theſe Cauſes*, &c. *We will and ordain* " *that our Subjects who are* New Converts, *who* " *ſhall be apprehended* going out of our Kingdom

" without Licenſe, *ſhall be condemned, the* Men " *to the* Gallies during Life, *and the* Women *to* " *be* ſhaved and *confined to* ſome *Religious Houſe* " *which ſhall be appointed by our Judges, as long* " *as they ſhall live,* their Eſtates ſeiz'd and con- " fiſcated to our Uſe, *even in thoſe Places where by* " *their Laws and Cuſtoms,* Confiſcation *does not* " *take Place, which Laws we have* diſpens'd, " *and do* diſpenſe with. *We will in like manner* " *that thoſe who directly or indirectly be* aiding " and aſſiſting to the eſcape of our ſaid Subjects, " *whether they be of the* Pretended Reformed " Religion, *or* New Converts, *ſhall be ſubject to* " *the ſame Puniſhment,* &c.

THE *Proteſtants in France* had generally flattered themſelves that the PEACE would have abated the Severity of their *Perſecutors,* and have procured them a ſort of *Liberty of Conſcience,* but it ſeems they had forgot the Spirit of the *Jeſuits,* and the Intereſt which they have at the *Court of France:* There is ſo little Hopes of any thing of this Nature, that the ORDINANCE which I have herewith ſent you, which " *enjoins the Judges of the Kingdom to Form a* " *Proceſs againſt all who have tranſgreſſed any for-* " *mer Declarations,* opens a Door to the *Inquiſition,* and doubles the Rage of *Perſecution:* This cauſes dreadful Alarms to all thoſe who are called *New Converts,* and puts them under the unhappy Neceſſity of *diſobeying God* or the *King,* who arrogates to himſelf the Rights of God by a Sacrilegious Attempt, for if any of his Subjects Endeavours to withdraw himſelf from the Practice of *Idolatry* by making an Eſcape to ſerve God according to the *Dictates of*

his

his Conſcience. He calls this *a Criminal Diſobedience of his Orders*, and puniſhes them as *Rebels* with the moſt rigorous Puniſhmens.

It is ſometime ſince, as you well know, that the King made it *a Point of Honour and Conſcience* to bring over his Subjects to his *Religion*, and *a Point of Intereſt and Policy* to keep them in his *Kingdom*, but he has had but indifferent Succeſs in both his Projects hitherto: The *firſt* has only made *Hypocrites* or *Martyrs*, for there are very few who have out of Conſcience complied with the Abſurdities, and ridiculous Superſtitions of *the Church of Rome*. They have indeed ſwallowed down the *Hoſt*, but they have not been able to digeſt the Doctrine of *Tranſubſtantiation*. This appears from the ORDINANCE which I have ſent you, which declares that *they are not* convinced of the Errors of the "*Pretended Reformed Religion*, and forbids the "*Refugees* to return into *France* for fear they "ſhould *Foment and Encourage the bad Diſpoſitions of their Relations and Friends, and even* "*engage them to go back with them into Foreign* "*Countries*: 'Tis alſo to prevent their *leaving their Country*, that the ſame ORDINANCE forbids them to "*be tranſported by Sea from one Province* "*to another, without Licenſe from the King.*

It is very ſtrange that ſuch Difficulties ſhould be laid upon ſuch as have made Profeſſion of the *Romiſh Religion*, for 28 Years. Nor has the *French King* had better Succeſs in his other deſign, *viz.* that *of hindring his Subjects from going out of his Kingdom.* For notwithſtanding all his Precautions, the Rigour of his *Prohibitions*, and

and the Watchfulneſs of his *Guards*, more than 200000 have eſcaped out of the Kingdom ſince the *Revocation* of the *Edict of Nantz*.

It is true that thoſe who had the Misfortune to be apprehended on the Coaſts and Frontiers have been barbarouſly uſed: The *French King* has good Reaſon to ſay as he does in this Ordinance, "That his *Edicts have been conſtantly* "*put in Execution.* There is nothing more certain: They were not publiſhed by way of *Terror* only, he has kept his Word herein. His *Edicts* have been put in Execution moſt *punctually*, and with the utmoſt *Severity*: The poor *Galley Slaves* have for a long Time, and do even ſtill ſufficiently experience it.

You know, Sir, that Her Majesty has been graciouſly pleaſed to procure the Liberty of 136 of them, 11 of whom are come over hither, who had lately the Honour to wait on Her Majesty to preſent their moſt humble Thanks for this Her great Favour, and to implore the ſame for 174 more, that are ſtill confined in the *Gallies* on the ſame Account, not to mention about 200 others detained in Priſon, on the Account of Religion, among whom there are ſeveral Miniſters. It is not ſo eaſy to make a Liſt of thoſe who for the ſake of their Religion, have died within theſe 28 Years paſt, under the Weight of their *Chains*, and the Cruelty of their *Baſtonades*, or of thoſe who have died in *Convents*, *Priſons*, in the *Stench* and *Darkneſs* of *Dungeons*, of thoſe who have been hanged and broke on the Wheel, or of thoſe whoſe naked Bodies have been after their Deaths dragged about

the

the Streets, and thrown under the Gallows, for refuſing to *Receive the Hoſt at the Point of Death*, which would have been even according to the Principles of the *Church of Rome*, a *Sacrilegious Communion*, and all this in a conſtant Execution of the Orders of his *moſt Chriſtian Majeſty*, and in the view of all *Europe*, and at the ſame time that ſuch Barbarities were exerciſed both on the Living, and the Dead, the *Clergy* and the Kings *Flattering Panegyriſts* had the Confidence to publiſh to the World, that there was *no Violence uſed, that the* Converſions *of the Proteſtants were purely* Voluntary, *and that the King, brought over his Subjects into the Boſom of the Church by a Way ſtrewed with Flowers.*

It is certain, that the *Deſertion*, which the *Perſecution* has occaſioned, has almoſt ruined *France* by the Diminution of its People and Commerce, by the carrying away of great Sums of Money, and diverſe *Manufactures* into *Foreign Countries*, and by a great Number of *Officers* and *Soldiers* who have entred into the Service of the *Allies* whom they have well and faithfully ſerved. This has been very ſenſibly felt; but a *Perſecuting Zeal* has gotten the Aſcendant, over all the Reaſons of *Policy* which the Intereſt of the Kingdom ſuggeſted againſt putting ſo many good People, on the Neceſſity of *leaving their Country.*

In ſhort, what is done, is done; the Grandeur of the King would not ſuffer him to *change* his Reſolutions: If there are any that are willing to return into *France* after the Miſeries of ſo long

an

an Exile, they muſt "*afreſh abjure the Religion* for "which they have endured ſuch Miſeries, and "*make a new Profeſſion of the Roman Catholick* "*Faith* ſincerely, and *bona fide*. It is on theſe Conditions only, that the King makes them *hope for the Effects of his Goodneſs and Mercy*. I ſay *hope*, for nothing is poſitively promiſed, and he reſerves to himſelf the *Liberty* of *granting*, or *refuſing* his Mercy.

Moreover, how can they be ſatisfied of the Sincerity of a ſudden *Abjuration* of Perſons *confirmed* and *hardened* in what they call in *France*, *their Errors*, if thoſe who have been reconciled to the *Church of Rome*, for about 28 Years Space, are not *convinced of their Errors*; and from the very Moment their Sincerity is called in Queſtion, are *condemned to the Gallies*.

But ſuppoſing that the Refugees were weak enough to run the hazard of returning into *France* again, can we think that any Maſters of Veſſels will run the ſame Riſque, and Charge themſelves with theſe *Contreband Goods*, "ſince "the Ordinance Inflicts the like Puniſhment "of *Condemnation* to the *Gallies for Life*, on all "*Captains*, *Maſters of Veſſels*, and *Commanders* "*of Ships*, *whether* French, *or of any other Na-* "*tion*, who ſhall be ſo *Unfortunate* or *Impru-* "*dent* as to receive on Board them, *a New* "*Convert or Refugee*, and the *Pilots* with even "*Death* it ſelf." This is exceeding ſevere.

But what appears yet more ſtrange is, that the *French King* ſhould have ſo little a Regard for

for his *Neighbours* ſo ſoon after the Concluſion of a *Peace*, and that he ſhould ſo quickly reſume his Airs of Haughtineſs and Superiority as to impoſe Laws and Puniſhments upon all *Europe*. This is to aſſume an *Authority* over the *Subjects of Neighbouring Princes* who are not dependent upon him. Not content with continuing to *perſecute* his *own Subjects* he would preſume in ſome ſort to *perſecute* thoſe of his *Neighbours*, and to ſend them to his *Gallies*. It is likely the *Maritime Powers* will take ſome Notice of this Point which ſo ſtrongly concerns the *Honour* of their *Sovereignty*, the *Security* of their *Subjects*, and the *Freedom* of their *Commerce*.

If the *French King* ſhews ſo little Regard to his Neighbours, as thus to diſpoſe of the *Lives* of *their Subjects*, we are not to wonder that he ſhould have no Reſpect to the Naturalizations which the *Proteſtant Princes* have been pleaſed to grant to the Poor Refugees, and that he ſhould pretend even ſtill to make them undergo the Severity of his *Arbitrary Edicts*.

But upon what Pretence can this Severity be exerciſed upon the *Children* of the Refugees *born out of the Kingdom*, " which he condemns to " the *Gallies*, as well as their Parents if they dare ſet their Feet on *French Ground*, and who can tell to how many Generations, hereafter may be extended? This is not only a Violation of *Natural Equity*, but it is alſo directly contrary to the *Law of Nations*: For a *Child* at his very *Birth* becomes a *Subject*, and

is immediately under the *Protection* of the Prince in whoſe Dominions he is *born*; and is by *Birth* entituled to all the Rights and Priviledges of the Country. There is in *France* a new Generation of *Engliſh and Iriſh Rebels* who have retired thither; theſe *Children* are *French*, and are reputed as ſuch in all Reſpects. I believe they may *go* and *come* and *Trade* in all the neighbouring Kingdoms ſafely and freely without any *Paſſports*, without *Abjuring their Religion*, and without fear of being thrown into *Priſon*. Why them ſhould not the *Children* of French Refugees who are *Natural Subjects* of other Princes, in like manner have the ſame Liberty in *France*? They are in a like Caſe, nay, in a more favourable one. For *their Parents* cannot be accuſed of *Rebellion*, nor of having *taken up Arms againſt their Prince*.

The Ordinance I am now writing of, is capable of many other Remarks; and if it were diſtinctly examined, we ſhould find it from Beginning to End full of *Injuſtice* and *Severity*, and in ſome places even *void of good Senſe*, as for Example, when it permits *Maſters of Veſſels* to Tranſport *Old Catholiques*, but not *New Ones*, how could they diſcern one from the other, unleſs they put the *Fleur de Lys* on the Forehead of the latter to diſtinguiſh them. "It is to "be *read*, *publiſhed* and *fixed up in all Places* "*where it ſhall be thought needful, to the End that* "*no one ſhould be ignorant of it.*" It ought then to be made publick in every *part* of the World, ſince there are every where *Seamen* and *Refugees* whom it concerns, not to be ignorant of it.

But as it is uneaſy to me to dwell ſo long on ſo ſorrowful a Subject, ſo I fear the Reading of my Letter will be ſo much more ſo to you; and therefore I beg leave to conclude with aſſuring you that I am, *&c.*

FINIS.